

RESOLUTION NO. A-_____

1 WHEREAS, on December 29, 2000 Jeffrey J. Fredrick and L. Denise Fredrick,
2 husband and wife, purchased a parcel of property from Larry Maciejewski and Joann
3 Maciejewski; said parcel of land being described as:

4 A part of Lot 98 I.T., in the Northeast Quarter of Section 27,
5 Township 10 North, Range 6 East of the 6th P.M., Lincoln,
6 Lancaster County, Nebraska, and being more particularly
7 described by metes and bounds as follows:

8 Beginning at a 5/8 inch x 30 inch rebar for the northeast
9 corner of the tract herein described on the south right-of-way
10 line of West O Street, said point also being the northeast
11 corner of said Lot 98 I.T., and being south 89 degrees 28
12 minutes 18 seconds west, 754.10 feet, and south 00
13 degrees 31 minutes 42 seconds east, 92.32 feet from the
14 northeast corner of the aforesaid Section 27; thence south
15 00 degrees 09 minutes 09 seconds east (assumed bearing),
16 a distance of 79.10 feet along and with the east line of said
17 Lot 98 I.T., to the point of curvature of a curve to the right,
18 having a central angle of 07 degrees 40 minutes 00
19 seconds, a radius of 2172.01 feet, an arc length of 290.63
20 feet, and a chord bearing south 03 degrees 41 minutes 00
21 seconds west, 290.42 feet; thence southwesterly along and
22 with the arc of said curve, a distance of 290.63 feet to the
23 point of tangency thereof; thence south 07 degrees 31
24 minutes 00 seconds west, continuing along the aforesaid
25 east line of Lot 98 I.T., a distance of 150.79 feet to a point
26 thereon for the southeast corner of the tract herein
27 described; thence north 89 degrees 54 minutes 00 seconds
28 west, a distance of 708.04 feet to the southeast corner of
29 Lot 70 I.T., and being the southwest corner of the tract
30 herein described; thence north 00 degrees 06 minutes 00
31 seconds east, a distance of 518.50 feet along and with the
32 east line of said Lot 70 I.T., to the northeast corner thereof
33 and the northwest corner of the tract herein describe, on the
34 south right-of-way line of O Street; thence south 89 degrees
35 53 minutes 55 seconds east, a distance of 745.31 feet along
36 and with the said south right-of-way line to the place of
37 beginning; and

1 WHEREAS, the conveyance to the Fredricks failed to comply with the
2 requirements relating to subdivision approval; and

3 WHEREAS, the failure to comply with requirements relating to subdivision
4 approval originally began with the conveyance of this parcel of land on February 27,
5 1997 by a Quitclaim Deed from Trillium Corporation, a Washington corporation, to Calla
6 Corporation, a Washington corporation, and reoccurred again in the June 5, 2000 deed
7 from Calla Corporation to the Maciejewskis; and

8 WHEREAS, Robert R. Otte, on behalf of Fredricks, has requested the City to
9 consent to the validity of said conveyance in order to allow development of this parcel of
10 land.

11 WHEREAS, the Planning Department has recommended that the City, in
12 accordance with the provisions of Neb. Rev. Stat. § 76-2,110, waive its right to object to
13 the validity of said conveyance; and

14 WHEREAS, in accordance with the provisions of Neb. Rev. Stat. § 76-2,100 the
15 City of Lincoln desires to waive its right to object to the validity of said conveyance.

16 NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of
17 Lincoln, Nebraska:

18 1. That the City of Lincoln hereby waives its right to object to the validity to
19 the conveyance of that portion of Lot 98 I.T., in the Northeast Quarter of Section 27,
20 Township 10 North, Range 6 East of the 6th P.M., Lincoln, Lancaster County, Nebraska,
21 as fully described above, from Larry Maciejewski and Joann Maciejewski to Jeffrey J.
22 Fredrick and L. Denise Fredrick, filed of record with the Lancaster County Register of
23 Deeds as Instrument No. 2001-006245.

1 2. That the City Clerk is directed to return an original of this Resolution to
2 Robert R. Otte, Attorney at Law, P.O. Box 83439, Lincoln, NE 68501-3439, to be
3 recorded with the Register of Deeds of Lancaster County.

Introduced by:

Approved as to Form and Legality:

City Attorney

Approved this ____ day of _____, 2004:

Mayor